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PTO/SB/21 (01-03)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

27

Application Number

10/802,197

Filing Date

March 17, 2004

First Named Inventor

BUERGELT

Art Unit

1645

Examiner Name

Attorney Docket Number

5853-371

ENCLOSURES (Check all that apply)

- | | | |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | |
| <input checked="" type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | Remarks | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | No fees are believed necessary, but please charge any deficiencies to Deposit Account No. 50-0951. | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

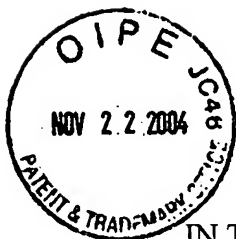
Firm or Individual	AKERMAN SENTERFITT Gregory A. Nelson, Registration No. 30,571
Signature	
Date	11/19/04

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Typed or printed	Gregory A. Nelson
Signature	
Date	11/19/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of BUERGELT et al.

Application No. 10/802,197

Examiner:

Filed: March 17, 2004

Group Art Unit: 1645

For: METHODS AND COMPOSITIONS FOR DIAGNOSING BOVINE
PARATUBERCULOSIS

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR §1.97(b)

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Gregory A. Nelson

Reg. No. 30,577

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying form PTO/SB/08A are hereby brought to the attention of the Examiner for independent evaluation. The references were cited in the specification of the present application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicant respectfully requests that the listed documents be considered by the Examiner and made of record in the present application and that an initialed copy of form PTO/SB/08A be returned in accordance with MPEP §609.

Certification

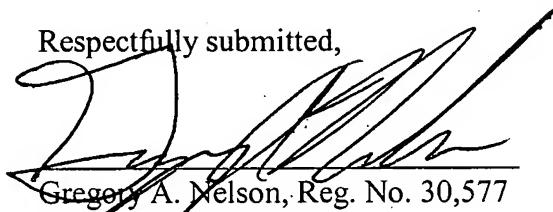
This Statement is being filed within three months of the filing of this application and/or prior to the issuance of the first Office Action for the present application, and this paper is thus submitted in accordance with 37 CFR §1.97(b). In view of this certification, a fee is not required for consideration of these documents. Nevertheless, should a fee be deemed to be due by the Commissioner, such fee should be charged to Deposit Account No. 50-0951.

Dated: _____

11/19/04

Docket No. 5853-371

Respectfully submitted,



Gregory A. Nelson, Reg. No. 30,577
AKERMAN SENTERFITT
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000



PTO/SB/08B (08-03)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known	
		Application Number	10/802,197
		Filing Date	March 17, 2004
		First Named Inventor	BUERGELT
		Art Unit	1645
Examiner Name			
Sheet 1	of 1	Attorney Docket Number	5853-371

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Buergelt, CD: Nested PCR on Blood and Milk for the Detection of M Avium Paratuberculosis in Clinical and Subclinical Bovine Paratuberculosis, Australian Veterinary Journal, Volume 82, No. 8, August 2004, pages 24-30	
		Buergelt, CD: In Utero Infection of Pregnant Cattle by Mycobacterium Avium Subspecies Paratuberculosis Detected by Nested Polymerase Chain Reaction. The Journal of Applied Research in Veterinary Medicine, Volume 1, No. 4, Fall 2003, pages 279-284	
		Collins, M.: Diagnosis of Paratuberculosis. Veterinary Clinics of North America: Food Animal Practice, Volume 12, No. 2, July 1996, pages 357-371	
		Vary, P.H.: Use of Highly Specific DNA Probes and the Polymerase Chain Reaction to Detect Mycobacterium Paratuberculosis in Johne's Disease. Journal of Clinical Microbiology, Volume 28, no. 5, May 1990, pages 933-937	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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